5249

# UNITED STATES DISTRICT COURT DISTRICT OF NEW HAMPSHIRE

District Court Case Number 464-2018-CR-1490

Josephine Amatucci

**JURY TRIAL DEMANDED** 

٧.

Charles Greenhalgh, individually as a private person

#### A PERSONAL INJURY LAWSUIT

## FOR ABUSE OF PROCESS

### AS A TRESPASSER OF THE LAW, FOR LACK OF JURISDICTION

#### **JURISDICTION**

This cause of action happened in New Hampshire. The Complaint that is before the court is under 42 U.S. C. 1983, a civil rights action. And/or under rule 60 (b)

#### **PARTIES**

Charles Greenhalgh as a private citizen, at the 3rd Circuit district Court in Ossipee. 96 Water Village Road, Box 2 Ossipee, NH 03864.

### **RELEVANT FACTS**

- 1. What happened to me at this trial represents a culture of a corrupt political justice system which is becomming all too common, in the courts in an abuse of pro-se litigants. Where the courts send out the message that we will not get justice, because we have no role in the courts, as the courts can only be represented by lawyers, who in turn are in privity with the judges. As Pro-se litigants are outsider's and will never get justice in the system.
- 2. I am accusing Mr. Greenhalgh, as an individual, who was not a judge when he denied my civil and constitutional rights, which are not a judicial function.
- 3. That Greenhalgh had NO JURISDICTION to rule on the criminal case of
  State v. Josephine Amatucci after the Plaintiff filed a Motion to Dismiss in the court
  immediately following a Complaint by the Belnap Sheriff's Dept. which was accusing
  the Plaintiff of a crime THEY KNEW she never committed. The Motion to Dismiss
  which was filed in the court very shortly after the Belnap Sheriff's Dept. filed their
  Complaint, was accompanied with solid evidence for the judge to dismiss the Complaint.
  Evidence showing that the alleged victim of an Assault, Robert Maloney gave testimony
  to Sargeant Wright that there was ....."NO INJURY". Yet Wright obtained a Warrant
  based on the Plaintiff committing bodily injury on Maloney. Committed PERJURY.
- 4. That the Belnap Sheriff's Dept. was committing the crime of PERJURY when Sheriff Wright obtained a Warrant UNDER OATH, by falsely stating that the Plaintiff committed Simple Assault with bodily injury, when he knew beyond any doubt that there was no bodily injury. As he had a statement by Maloney that there was no injury, that therefore the Complaint filed in the court was a MALICIOUS PROSECUTION. with .....NO PROBABLE CAUSE ......of an unlawful seizure.
- A bigger problem is the response by Mr. Greenhalgh, in his individual

capacity, who ignored and did not allow the Plaintiff a hearing on her Motion to Dismiss.

which was filed in the court only days after the Belnap Sheriff's Dept. filed their

Complaint. When Greenhalgh ignored the evidence of FRAUD and PERJURY of the Belnap

Sheriff Wright and the prosecutor, and WITHOUT JURISDICTION to do so, he continued

with the case even though it was based on PERJURY.

- 6. And during the entire trial ignoring the Plaintiff's request that he address the unlawful Warrant, Greenhalgh, in his own personal and bias agenda continued with the trial which was based on PERJURY. And completly refused to address the unlawful WARRANT. And that the INTENT of the Belnap Sheriff's Dept. was to prosecute me without PROBALE CAUSE.
- 7. That therefore Greenhalgn had every INTENT from the very beginning to have me prosecuted and convicted. He ignored my summary judgment, ignored the unlawful Warrant issued under PERJURY, and ignored the false testimony of the alleged victim of an assault Robert Maloney. And he was going to convict me no matter what.
- 8. That first of all there should never have been a trial, that Greenhalgh was under the obligation of the law, to dismiss the Complaint filed by the Belnap sheriff's Department with the evidence before him that there was never an ASSAUlt with bodily injury of which she was being prosecuted for.
- 9. Second of all is that Greenhalgh had NO PROBABLE CAUSE to convict me based on the testimony of Robert Maloney, who proved to be an unreliable witnesse, and who was the one who accused the Plaintiff of pushing him aside causing him to fall down two half steps into the office at the town dump.
- 10. Greenhalgh had the INTENT all along to support Maloney's testimony, so that when the Plaintiff was cross examining Maloney for his lies, asking Maloney why he

stated to Sheriff Wright that he only knew me from visiting the town dump when the truth was that he was a next door neighbor of mine for years and that I had an active restraining order on his mother Pauline Maloney. However, when I asked Maloney to tell the court the real reason how he knew me, Mr. Greenhalgn immediately told Maloney......."DON'T ANSWER THAT". This recording and transcript is in the courthouse and the Plaintiff has a copy of the recorded trial to prove each and every element of this lawsuit.

- 11. First Maloney told Sheriff' Wright that the Plaintiff pushed him on the right shoulder, then at the trial Maloney stated that the Plaintiff pushed him on the left shoulder.
- 12. The worse part is when the Plaintiff was cross examining Maloney was when I stated to Maloney why he told the Belnap Sheriff's that he only knew me from my visiting the town dump, when the truth was he was my next door neighbor for years, and I had an active Restraining Order on his mother Pauline Maloney for years.
- 13. Greenhalgh's interferrence in the testimony proved he was CORRUPT and had his own personal agenda to accuse the Paintiff of a crime no matter what the evidence of her innocence showed. He was never going to accuse the Belnap Sheriff's Dept. of PERJURY, of a Malciious Prosecution.
- 14. That Greenhalgh told Robert Maloney while I was cross examining him "DON'T ANSWER THAT"
- 15. That a jury would find that Greenhalgh lost all jurisdiction in this case when he refused to dismiss the case which was based on PERJURY, when he continued to take away the Plaintiff's liberty in doing so, and when he interrupted her cross examing of Robert maloney. And finally when he actually CONVICTED the Plaintiff

even though there was NO EVIDENCE SHOWN AT THE TRIAL AND IN THE WARRANT THAT THE PLAINTIFF COMMITTED SIMPLE ASSAULT ON MALONEY.

- 16. When most critical was the testimony at the trial of Maloney's supervisor, Mr. Champaigne who stated UNDER OATH at the trial that MALONEY WAS NEVER STANDING IN THE DOORWAY, therefore the Plaintiff could never have been accused of committing an assault on Maloney, and that Greenhalgh could never have convicted her of a Simple Assault based on a WARRANT that was invalid.
- WHEREFORE, I am suing Greenhalgn for ONE MILLION DOLLARS as an individual 17. for violating my civil rights, as a Trespasser of the law, who had NO JURISDICTION to hear the case after the Plaintiff filed her Motion to Dismiss, and beyond. That this court must hear the recording of the trial for verification of the violation of Due Process, etc.
- 18. There is NO IMMUNITY WHATSOEVER when a judge acts as a private individual and violates state and federal constitutional law.
- For his severe mental anguish upon the Plaintiff a person of 82 years old. 19.

Respectfully,

Josephine Amatucci

December 21, 2020. JANUARY 13 2021

c. Charles Greenhalghn

Asephine Amatuci

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# THE STATE OF NEW HAMPSHIRE

## DEPARTMENT OF SAFETY, DIVISION OF STATE POLICE

33 Hazen Dr, Concord NH 03305

(603) 223-3867

## CRIMINAL HISTORY RECORD





Name AMATUCCI, JOSEPHINE

DOB 09/27/1938

РОВ	MA	Hair	Black	Weight	165
Sex	F	Eye	Brown	Height	68
ADDR	PO BOX 272	Race	White	Prints	Y
	WOLFEBORO FALLS NH 038960272			Photo Available	Y
OLN		FPC		Palm Available	Y

Alias Name DOB Caution

Code

Comments

**Body Markings** 

Code Description Comments

Cycle 001

Complaint as Filed Offense (CAAFF)

Docket

464-2019-CR-01293

Charge Id

1663775C

Degree

MISDEMEANOR A

Offense

642:8, Bail Jumping

Comments

Violation Date

Violation End Date

07/31/2019 07/31/2019

Inchoate

Court

**OSSIPEE-D** 

**Court Disposition** 

642:8, BAIL JUMPING **Disposed Offense** 

Docket

464-2019-CR-01293

Degree

MISDEMEANOR A

Charge Id

1663775C

Court

OSSIPEL-D

Indicted

Court Date

11/21/2019

Appeal

Violation Date

07/31/2019

Violation End Date

07/31/2019

**Findings** 

Plea Date

09/04/2019 11/21/2019 Plea

**NOT GUILTY** 

Finding Date

Judge Comments

Amended Reason

Finding

**NOLLE PROSEQUI** 

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SID# NH644856

Name AMATUCCI, JOSEPHINE

DOB 09/27/1938

Complaint as Filed Offense (CAAFF)

Docket

464-2018-CR-01490

Violation Date

08/06/2018

Charge Id

1564240C

Violation End Date

Degree

MISDEMEANOR B

Inchoate

08/06/2018

Offense

631:2-A,I(B), Simple Assault; BI

Court

OSSIPEE-D

Comments

Court Disposition

**Disposed Offense** 631:2-A,I(A), SIMPLE ASSAULT; PHYSICAL CONTACT

Docket

464-2018-CR-01490

OR BI

Degree

MISDEMEANOR B

Charge Id

1564240C

Court

OSSIPEE-D

Indicted

Court Date

11/21/2019

Appeal

Lib at on Date

08 06 2018

Violation End Date

08/06/2018

**Findings** 

Plea Date

02/06/2019

Plea

**NOT GUILTY** 

**Finding Date** 

11/21/2019

Finding

**GUILTY** 

Judge

GREENHALGH, CHARLES L

Comments

Amended Reason

Description **VACATED** 

Comments

Sentence

Date

11/21/2019

Type

**SENTENCED** 

Judge

GREENHALGH, CHARLES L

Amended Reason Sentence Condition

Description

**Amount** 

Comments

ANGER MANAGEMENT

COUNSELING

PROOF OF INITIATING TREATMENT SHALL BE PROVIDED TO THE STATE AND COURT WITHIN 90 DAYS. PROOF OF COMPLETION OF MEANINGFUL

PARTICIPATION WITHIN 1 YEAR.

GOOD BEHAVIOR FOR ONE YEAR